

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

**FALKEN INDUSTRIES, LTD. and
ROY JANIS,**

Plaintiffs,

v.

**CHRISTIAN JOHANSEN and
PATRICK SAUTIN,**

Defendants.

Civil Action No. 04-12479 MEL

**MOTION FOR ADMISSION *PRO HAC VICE* OF ATTORNEY DUSTIN B. RAWLIN
FOR DEFENDANTS CHRISTIAN JOHANSEN AND PATRICK SAUTIN**

Pursuant to Local Rule 83.5.3(b) of the United States District Court for the District of Massachusetts, Kurt B. Fliegauf, counsel for defendants Christian Johansen and Patrick Sautin in the above-captioned action, hereby moves that Dustin B. Rawlin be admitted *pro hac vice* as co-counsel for defendants Christian Johansen and Patrick Sautin in this case.

In support of this motion, the undersigned counsel states as follows:

1. Mr. Rawlin is a member of the bar in good standing in every jurisdiction where he has been admitted to practice, which includes Ohio, the United States District Courts for the Northern District of Ohio, Southern District of Indiana, Western District of Wisconsin, and Eastern District of Michigan, and the United States Courts of Appeals for the Sixth Circuit and Eighth Circuit.

2. There are no disciplinary proceedings pending against Mr. Rawlin as a member of the bar in any jurisdiction.

3. Mr. Rawlin is familiar with the local rules of the United States District Court for the District of Massachusetts and will coordinate all his activities in this case through the undersigned counsel.

4. The undersigned counsel has filed an appearance for the defendants Christian Johansen and Patrick Sautin in this case.

WHEREFORE, the defendants Christian Johansen and Patrick Sautin respectfully request that an order be entered permitting Mr. Rawlin to appear *pro hac vice* on behalf of them in this action.

Dated: December 22, 2004

Respectfully submitted,
DEFENDANTS CHRISTIAN JOHANSEN
AND PATRICK SAUTIN

By their attorneys,

/s/ Kurt B. Fliegauf

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North Point
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Cleveland, Ohio 44114-1190
Telephone: (216) 586-3939
Facsimile: (216) 579-0212

CERTIFICATE PURSUANT TO LOCAL RULE 7.1(A)(2)

Pursuant to Local Rule 7.1(a)(2), the undersigned counsel certifies that prior to filing this motion he contacted plaintiff's counsel in a good faith attempt to resolve or narrow the issues that are the subject of this motion. Plaintiff's counsel indicated that he was not opposed to the motion.

/s/ Kurt B. Fliegauf

Kurt B. Fliegauf
Attorney for Defendants
Christian Johansen & Patrick Sautin

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing on the following counsel of record on this the 22nd day of December, 2004, via U.S. Mail, postage pre-paid:

Carlo Cellai, Esq.
76 Canal Street, Suite 402
Boston, MA 02114
Attorneys for Plaintiff

/s/ Kurt B. Fliegauf

Kurt B. Fliegauf
Attorney for Defendants
Christian Johansen & Patrick Sautin

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v.

**CHRISTIAN JOHANSEN and
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Defendants.

**AFFIDAVIT IN SUPPORT OF *PRO HAC VICE* ADMISSION OF DUSTIN B. RAWLIN
FOR DEFENDANTS CHRISTIAN JOHANSEN AND PATRICK SAUTIN**

I, Dustin B. Rawlin, depose and state as follows:

1. I have personal knowledge of the matters stated in this affidavit.
2. I submit this affidavit in support of the Motion for Admission *Pro Hac Vice* of Attorney Dustin B. Rawlin filed in this case.
3. I am an associate at the law firm of Jones Day, 901 Lakeside Avenue, Cleveland, OH 44114, and am an attorney for the defendants Christian Johansen and Patrick Sautin.
4. I will be co-counsel, with Conn Kavanaugh Rosenthal Peisch & Ford, LLP, for defendants Christian Johansen and Patrick Sautin in this matter.
5. I graduated from Duke University School of Law in 2000.
6. I am admitted to practice law in Ohio, the United States District Courts for the Northern District of Ohio, Southern District of Indiana, Western District of Wisconsin, and Eastern District of Michigan, and the United States Courts of Appeals for the Sixth Circuit and Eighth Circuit.

7. I am in good standing and am not under suspension or disbarment in any of the bars of which I am a member.

8. I have never been the subject of a disciplinary action in the states in which I am admitted to practice.

Signed under the pains and penalties of perjury this 14th day of December, 2004.

Dustin B. Rawlin
Dustin B. Rawlin
JONES DAY
North Point
901 Lakeside Avenue
Cleveland, Ohio 44114-1190
Telephone: (216) 586-3939
Facsimile: (216) 579-0212

Subscribed and sworn to before me this 14th day of December, 2004

Pamela S. Mozola
Notary Public

My Commission Expires: 8-29-09

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PAMELA S. MOZOLA
NOTARY PUBLIC
STATE OF OHIO
My Comm. Exp. 8/29/09